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TELEFACSIMILE MESSAGE

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Sender: Nathan A. Machin

November 21, 2001

Pages (including this page): 24

8484-101-999

Recipient	Address	Facsimile Number	Your Reference
Examiner U. Winkler Art Unit 1648	United States Patent and Trademark Office	703-308-4242	09/923,270

Confirmation copy *will not* follow.

Re: U.S. Serial No.: 09/923,270
Filed: August 3, 2001
By: Kleinschmidt et al.
Entitled: AVV-DNA COMPRISING HELPER VIRUS SEQUENCES
Our Ref.: 8484-101-999

ATTENTION: EXAMINER U. WINKLER

Dear Examiner Winkler:

Per your request attached is the Continuation of U.S. Patent Application Serial No. 09/676,223 (from 8484-087-999) as filed on August 3, 2001. Should you require any additional information, please do not hesitate to contact us.

Very truly yours,


Nathan A. Machin

If you have any problems regarding this transmission, please contact Nathan A. Machin at (650) 849-7718

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Date Mailed August 3, 2001

Serial No. To be assigned

Filed Herewith

Inventor Kleinschmidt et al.

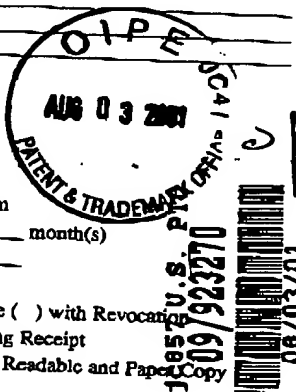
For AAV-DNA COMPRISING HELPER VIRUS SEQUENCES

- | | |
|---|--|
| <input type="checkbox"/> Affidavit/Declaration | <input type="checkbox"/> Fee Address Indication Form |
| <input type="checkbox"/> Amendment () Response | <input type="checkbox"/> Fee Calculation |
| <input checked="" type="checkbox"/> Application <u>10</u> pages | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> <u>20</u> claims <u>2</u> drawing sheets | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Assignment () Cover Sheet | <input type="checkbox"/> Oral Hearing Request/Confirm |
| <input type="checkbox"/> Brief (in triplicate) | <input type="checkbox"/> Petition to Extend Time _____ month(s) |
| <input checked="" type="checkbox"/> Declaration & Power of Attorney (copy) | <input type="checkbox"/> Petition under 37 C.F.R. _____ |
| <input checked="" type="checkbox"/> Executed () Unexecuted () Copy | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Declaration of Inventor(s) | <input type="checkbox"/> by Assignee () Associate () with Revocation |
| <input type="checkbox"/> Executed () Unexecuted () Copy | <input type="checkbox"/> Request for Correction of Filing Receipt |
| <input type="checkbox"/> Design Application | <input type="checkbox"/> Sequence Listing w/Computer Readable and Paper Copy |
| <input type="checkbox"/> Disclaimer () Disclaimer Fee | <input type="checkbox"/> Small Entity Statement |
| <input checked="" type="checkbox"/> Disclosure Statement (X) Form PTO-1449 (dupl) | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> w/refs. (X) w/o refs. | <input checked="" type="checkbox"/> Transmittal Letter for Continuation (dupl) |
| <input type="checkbox"/> Drawings, Formal | |
| _____ Sheets _____ Figures | |

Other: return postcard

File No. 8484-101-999

Sender: LAC/NSM/yc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPrior application: Examiner Winkler, U.Art Unit 1648Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/676,223 filed on September 29, 2000.

of Jürgen Kleinschmidt, Dirk Grimm, Karola Rittner
(inventor(s) currently of record in prior application)

for AAV-DNA COMPRISING HELPER VIRUS SEQUENCES
(title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	20	-20	0	\$18.00 each	\$ 0.00
Independent	3	-3	0	\$80.00 each	\$ 0.00
Basic Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 270.00
Total					\$ 980.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 980.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 09/676,223, filed September 29, 2000.
- 4a. ☐ New formal drawings are enclosed.

- 4b. ☒ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. 196 44 500.0 filed on October 25, 1996 in Germany is claimed under 35 U.S.C. §119.
- 5b. ☒ The certified copy has been filed in prior application no. 09/297,225, filed April 23, 1999.
6. ☒ The prior application is assigned of record to Krebsforschungszentrum and Transgene S.A.
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/676,223, filed September 29, 2000 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosures or instructions.
- Enclosed is a copy of the Substitute Specification as filed in Application No. 09/676,223, filed September 29, 2000; and the Declaration and Power of Attorney as filed in the prior application;
 - Information Disclosure Statement, PTO Form 1449 without references; and
 - An extension of time for a period of 3 months has been filed in application serial number 09/676,223 filed September 29, 2000 for which this Continuation application claims priority.

Date August 3, 2001

Respectfully submitted,

Nathan A. Machin

Nathan A. Machin

OFFICIAL

47,763

(Reg. No.)

For Laura A. Coruzzi (Reg. No. 30,742)
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